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SUBJECT: SPAIN: VERDICTS HANDED DOWN IN THE TRIAL OF THE
MARCH 11, 2004, MADRID TRAIN BOMBINGS

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11. (U) Spain's National Court on October 31 returned guilty verdicts on 21 of the 28 people accused of involvement in the March 11, 2004 train bombings in Madrid (known in Spain as 11-M), which killed 191 and injured over 1,800. An additional seven individuals were acquitted. A 29th defendant had been acquitted earlier in the trial process. The sentences levied by Spanish Judge Javier Gomez-Bermudez ranged from three years to 42,924 years, but under Spanish law the maximum jail term an individual can serve for terrorist crimes is 40 years. Only three individuals were actually charged with complicity in the 11-M attacks; the remaining individuals were convicted for belonging to a terrorist organization, cooperating with a terrorist organization, trafficking in explosives and/or document forgery. One of the individuals acquitted today by Spain's anti-terrorist court was Rabei Osman Sayed Ahmed, known as "Mohammed the Egyptian," who prosecutors had said was the brains behind the operation. Osman is currently serving jail time in Italy on other terrorist charges. A complete list of the convictions, sentences, and acquittals is below.

12. (U) The near-simultaneous bombings on four packed commuter trains were the deadliest terror strikes on the West since the September 11th attacks against the U.S. and changed the course of Spain's general election. Before the train bombings, the Partido Popular (PP) held a four-percentage point lead in the polls. Just three days later, the frightened and angry Spanish electorate gave President Zapatero's Socialist party a four-percentage point victory. In many ways, the PP has yet to get over the sudden twist of fate and the entire 11-M investigation and trial have been rife with controversy and political tension. There have been allegations of a police cover-up and involvement by the Spanish government, and a segment of the Spanish population clings to various conspiracy theories. Some sectors of the PP and select Spanish media outlets maintained that the Basque terrorist group ETA was somehow involved in the attacks, but Judge Gomez-Bermudez said definitively today that there was no/no evidence of ETA involvement. Many in the Socialist party have said that Spain was attacked because of its participation in the Iraq war under former President Aznar, but Judge Gomez-Bermudez made no mention of Iraq in his verdict.

//COMMENT//

13. (SBU) The Spanish government, including its law enforcement and intelligence services, government ministries, and national prosecutors and judges, came together to carry out an in-depth and comprehensive investigation, prosecution and trial on an issue of supreme national security and political importance. Indeed, Spain has been fairly criticized for not ably managing inter-agency cooperation on counterterrorism and law enforcement matters. In this instance, however, the Spanish government was able to energize and bring together its inter-agency community in a focused and highly-effective manner. This process was carried out in an open, transparent, and public way, despite the emotional circumstances of the attacks and the heightened political tensions and controversies surrounding its aftermath. Some alleged terrorists were acquitted today, and there will always be criticisms from various sectors about what could have been done better, but on the whole, this is a good day for Spain. This is also a good day for the United States and our allies who are committed to the fight against international terrorism. The trial and its aftermath are sure to remain a political issue in advance of national elections, but terrorism receives no quarter from the Spanish public or any of the serious political parties. The entire 11-M process, from initial investigations to the final verdicts, once again demonstrates that Spain remains a serious and reliable partner in the fight against terror.

END COMMENT

14. (U) The following is a list of today's convictions, sentences, and acquittals:

-- Jamal Zougam, a Moroccan national, was found guilty of 191 counts of murder, and sentenced to 30 years for each one. He was also sentenced to 20 years each for 1,856 counts of attempted murder. He was also sentenced to 12 years in

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prison for belonging to a terrorist organization.

-- Otman El Ghanoui, born in Morocco, was found guilty of 191 murders and 1,856 attempted murders, for which he was sentenced to 30 years each and 20 years each respectively. He was also sentenced to 15 years each on four counts of "terrorist carnage," and 12 years for belonging to a terrorist group.

-- Jose Emilio Suarez Trashorras, a former Spanish miner, was found guilty of supplying some of the explosives that were used in the attacks. He was sentenced to 25 years each for 192 deaths - the 191 who died in the bombings, plus policeman Francisco Javier Torronteras, who died when the seven key suspects blew themselves up during a police raid.

-- Abdelmajid Bouchar, Moroccan, was sentenced to 18 years in prison for membership in a terrorist organization.

-- Basel Ghalyoun, a Syrian national, was sentenced to 12 years in prison as an accomplice to a terrorist group.

-- Youssef Belhadj, Morocco, was found guilty of belonging to a terrorist group and sentenced to 12 years in prison.

-- Hasan El Haski, a suspected leading member of the Moroccan Islamic Combat Group, was sentenced to 15 years for belonging to a terrorist group.

-- Hamid Ahmidan, Morocco, sentenced to 23 years.

-- Rachid Aglif, Morocco, sentenced to 18 years.

-- Saed el Harrak, Morocco, sentenced to 12 years.

-- Fouad El Morabit Amghar, Morocco, sentenced to 12 years.

- Mouhannad Almallah "Dabas," Syria, sentenced to 12 years.
- Mohamed Larbi Ben Sellam, Morocco, sentenced to 12 years.
- Mohamed Bouharrat, Morocco, sentenced to 12 years.
- Rafa Zouhier, Morocco, sentenced to 10 years.
- Abdelilah el Fadoul el Akil, Morocco, sentenced to 9 years.
- Raul Gonzalez Pelaez, Spain, sentenced to 5 years for supplying explosives
- Sergio Alvarez Sanchez, Spain, sentenced to 3 years.
- Antonio Ivan Reis, Spain, sentenced to 3 years.
- Mahmoud Slimane Aoun, Lebanon, sentenced to 3 years.
- Nasreddine Bousbaa, Algeria, sentenced to 3 years.

The Acquitted:

- Rabei Osman Sayed Ahmed, Egypt
 - Antonio Toro, Spain
 - Carmen Toro, Spain
 - Javier Gonzalez Diaz, Spain
 - Emiliano Llano Alvarez, Spain
 - Ivan Granados, Spain
 - Mohamed Moussaten, Morocco
- AGUIRRE